

Exhibit 72
Nicolas Gicinto Deposition
Excerpts



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DEPOSITION AND TRIAL



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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TESLA, INC.,

Plaintiff,

vs.

No. 3:18-CV-00296-LRH-CBC

MARTIN TRIPP,

Defendant.

CONFIDENTIAL

DEPOSITION OF

NICHOLAS RYAN GICINTO

TAKEN ON
TUESDAY, AUGUST 27, 2019
9:58 A.M.

HOME2SUITES CONFERENCE CENTER
2001 MAIN STREET
KANSAS CITY, MISSOURI 64108
MSJ_855

1 A. I mean, so you Google a name, right,
2 there's going to be links. You want to click on
3 those links, you want to see what the information
4 is. Sometimes it's relevant to you, sometimes it's
5 not, so you have to sort through, sift through and
6 filter that. You have to compile it in a way that
7 actually makes sense, so if you see there's 20, 20
8 links that pertain to the individual, the subject of
9 the report, you have to organize that information so
10 it makes sense. You -- sometimes you synthesize it.
11 Sometimes there's analysis. Not usually in a report
12 like this because it's just open source information
13 but this is a very common industry standard practice
14 when you're just trying to understand what's
15 publically available. You know, I mentioned earlier
16 that we were aware that Mr. Tripp had tried to sell
17 a guitar.

18 **BY MR. FISCHBACH:**

19 **Q. And a weapon?**

20 **A. And a weapon saying that he was planning**
21 **to move overseas. Well, the weapon, we learned**
22 **about that from an interview with someone at the**
23 **Gigafactory. We learned online that he had**
24 **attempted to sell some firearms-related material. I**
25 **don't think it was a firearm specifically. But a**

1 guitar specifically saying he didn't want to part
2 with it, I think, but he's moving overseas. So that
3 type of information comes up and that gives you --
4 that helps an investigation to provide context about
5 who the person is, maybe atmospherics is a term we
6 use about what's going on in their life, you kind of
7 know just who the person it.

8 **Q. Another great word: Atmospherics. When**
9 **you say firearm-related components what do you mean,**
10 **magazines, carrying cases?**

11 **A.** Yeah, I don't remember specifically what
12 it was but it was something that maybe a holster or
13 something like that. I don't specifically remember.
14 I mean, we -- I think in the report there was also
15 an example of him on a coding website where he was
16 talking about his coding abilities where he had done
17 some coding work. We saw that as well. So that
18 helped us have background to know that he was fairly
19 sophisticated at coding in fact, not a beginner as
20 he claimed to be. So that is useful because when
21 you interview someone it allows you to get a
22 baseline of whether or not they are providing you
23 truthful statements.

24 **(Deposition Exhibit 9 was marked for**
25 **identification.)**

CERTIFICATE

I, Terri L. Huseth, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 4th day of September, 2019.



Terri L. Huseth